

March 20, 2009

K. Lee Marshall, Esq.
Bryan Cave, LLP
211 North Broadway, Suite 3600
St. Louis, Missouri 63101

Re: Renaissance Learning, Inc. v. Metiri Group LLC
Case No. 07-0413-CV-W-SWH
United States District Court, Western District of Missouri

Dear Mr. Marshall:

Overview of Assignment

Anders Minkler & Diehl LLP ("AMD") has been retained by Bryan Cave, LLP, attorneys for the plaintiff, Renaissance Learning, Inc., to calculate the economic damages and lost profits sustained by Renaissance Learning, Inc. as a result of the actions of the defendant as presented in RLI's First Amended Complaint.

Qualifications of Expert

I am a Partner and Co-Director of Forensic and Valuation Services for Anders Minkler & Diehl LLP, a full service CPA firm located in St. Louis, Missouri. I have a Bachelor's degree and Master's degree in accounting from the University of Illinois and a Ph.D. in Finance from Saint Louis University. I am a Certified Public Accountant and a member of the American Institute of Certified Public Accountants, the national professional organization for practicing CPAs. I hold the designation Accredited in Business Valuation (ABV) granted by the American Institute of Certified Public Accountants (AICPA) to CPA members who demonstrate experience in the business valuation profession and pass a rigorous eight-hour examination administered by the AICPA.

I have over thirty years of professional experience working with two of the Big 4 CPA firms, serving in corporate management positions and holding various academic positions including

the rank of Associate Professor of Finance (with tenure). For the past twelve years I have been active in the practice of valuation and litigation support services, serving as Director of Business Valuation and Litigation Support Services for the Reilly Consulting Group in Boston before taking my current position of Partner and Co-Director of Forensic and Valuation Services for Anders Minkler & Diehl LLP. I have testified in State and Federal courts as an expert witness on various matters related to both valuation and accountants' professional liability.

I am a frequent speaker on both valuation related topics, including valuation of intellectual properties and statistics at AICPA National Business Valuation Conferences and State CPA Society conferences. In addition to my teaching and continuing professional educational seminar presentations, I regularly attend AICPA national conferences on valuation and litigation support services.

Additionally, I have been recognized by my professional peer group for my work in the business valuation profession by being inducted into the AICPA Business Valuation Hall of Fame, which has granted that recognition to fewer than twenty individuals. I serve on the Editorial Review Board of the *Business Valuation Review*, published by the American Society of Appraisers (ASA) of which I am a member. I also serve on the Editorial Advisory Board for the *Journal of Accountancy*, published by the AICPA. I am currently a member and former Chairman of the AICPA's Business Valuation Examination Committee, the six-person committee of business valuation experts responsible for preparation of the ABV examination for the AICPA. I have also served on the AICPA Business Valuation committee, the committee responsible for establishing all policies and developing supporting programs for all AICPA member CPAs who perform valuation services. A copy of my C.V. follows as an exhibit to this report.

Summary of Findings and Expert's Opinion

We were provided with Renaissance Learning, Inc. sales data for the years 1999 – 2008 for its Accelerated Reader ("AR") product line, which is the subject of this dispute. Included in that data was information regarding sales of the AR product to customers of the plaintiff who were subscribers of the defendant's, Metiri's research services and were exposed to the statements made by the defendant regarding the plaintiff's AR products as outlined in the First Amended Complaint.

We compared sales of the plaintiff's AR product to its customers, including customers that were and were not subscribers of Metiri's services, and determined during the period 2003 – 2008, the sales of AR products to the plaintiff's customers that were subscribers of Metiri's services were materially impaired. We performed a comparison of the levels of sales and year-to-year changes in sales of AR products to the plaintiff's customers that were and were not subscribers of Metiri's services during the years 2003 – 2008, and determined by performance of well-accepted statistical tests that, with a 99% confidence level, the plaintiff's sales of AR products to Metiri subscribers during this time period were materially impaired.

The comparison of AR sales to plaintiff's customers that were and were not Metiri subscribers was accomplished by creating an index of AR sales to Metiri and non-Metiri customers. Fiscal year 2002 was selected as the base year for the construction of the AR sales index since that was the year prior to any activity by the defendant that would have caused impairment in the plaintiff's AR sales. Presented in the table below is the calculation of the plaintiff's lost sales.

Year	Metiri Clients	Metiri Clients Index	Non-Metiri Clients	Non-Metiri Clients Index	Index Delta	But For Sales	Lost Sales
2002	\$8,667,408	100%	\$47,444,709	100%	0%	\$8,667,408	\$0
2003	\$7,112,838	82%	\$41,850,027	88%	-6%	\$7,645,347	(\$532,509)
2004	\$7,156,494	83%	\$44,077,142	93%	-10%	\$8,052,206	(\$895,712)
2005	\$6,927,857	80%	\$42,351,405	89%	-9%	\$7,736,941	(\$809,084)
2006	\$7,456,970	86%	\$48,032,112	101%	-15%	\$8,774,717	(\$1,317,748)
2007	\$8,834,838	96%	\$52,047,041	110%	-14%	\$9,508,182	(\$1,173,344)
2008	\$8,499,506	98%	\$52,878,964	111%	-13%	\$9,660,161	(\$1,160,656)
						\$60,044,961	(\$5,889,051)

By applying the non-Metiri client AR sales index each year to the sales to Metiri clients in sales we arrived at a calculation of the "but for" sales of AR products. It should be noted that the information Metiri was providing to the plaintiff's customers that were subscribers to Metiri's services per the complaint would also have been in the public domain and potentially impacted buying decisions of the plaintiff's customers that were not Metiri subscribers. Considering the potential for "information leakage" the calculated lost sales presented above are conservative and potentially underestimate the total sales lost by the plaintiff as a result of the actions of the defendant. It is our opinion that the plaintiff lost sales of \$5,900,000 (rounded) as a result of the actions of the defendant as contained in the First Amended Complaint.

The plaintiff's sales are distributed 69% to Software and 31% to Service. The incremental profit margin on Software is 92.6%, and the incremental profit margin on Service is 54.2%. Using the distribution of plaintiff's sales to AR products and the respective incremental profit margins, we have calculated the plaintiff's lost profits of \$4,743,000 (rounded) as a result of the actions of the defendant.

	<u>Software</u>	<u>Service</u>	<u>Total</u>
Lost Sales	\$4,039,889	\$1,849,162	\$5,889,051
Incremental Costs	(\$298,952)	(\$846,916)	(\$1,145,868)
Lost Profits	\$3,740,937	\$1,002,246	\$4,743,183

We expect to supplement these damages calculations at time of trial for the allowable interest associated with the lost profits. Additionally, we will continue to perform analysis and consider any information made available to us and reserve the right to supplement this report for information we deem material to our damages calculations.

Signature of the Expert

The undersigned and the firm of Anders Minkler & Diehl LLP have no past, present or contemplated future interest in, and have no personal interest or bias with respect to, the parties involved. Our fees are solely based upon our hourly rate for professional services provided by me and other members of our firm working on this engagement (which rates currently range from \$240-\$365 per hour) plus any out-of-pocket expenses incurred. Our fees are in no way contingent on the nature of our finding, or any analyses, testimony, or the outcome of any proceeding.

Respectfully submitted,

ANDERS MINKLER & DIEHL LLP



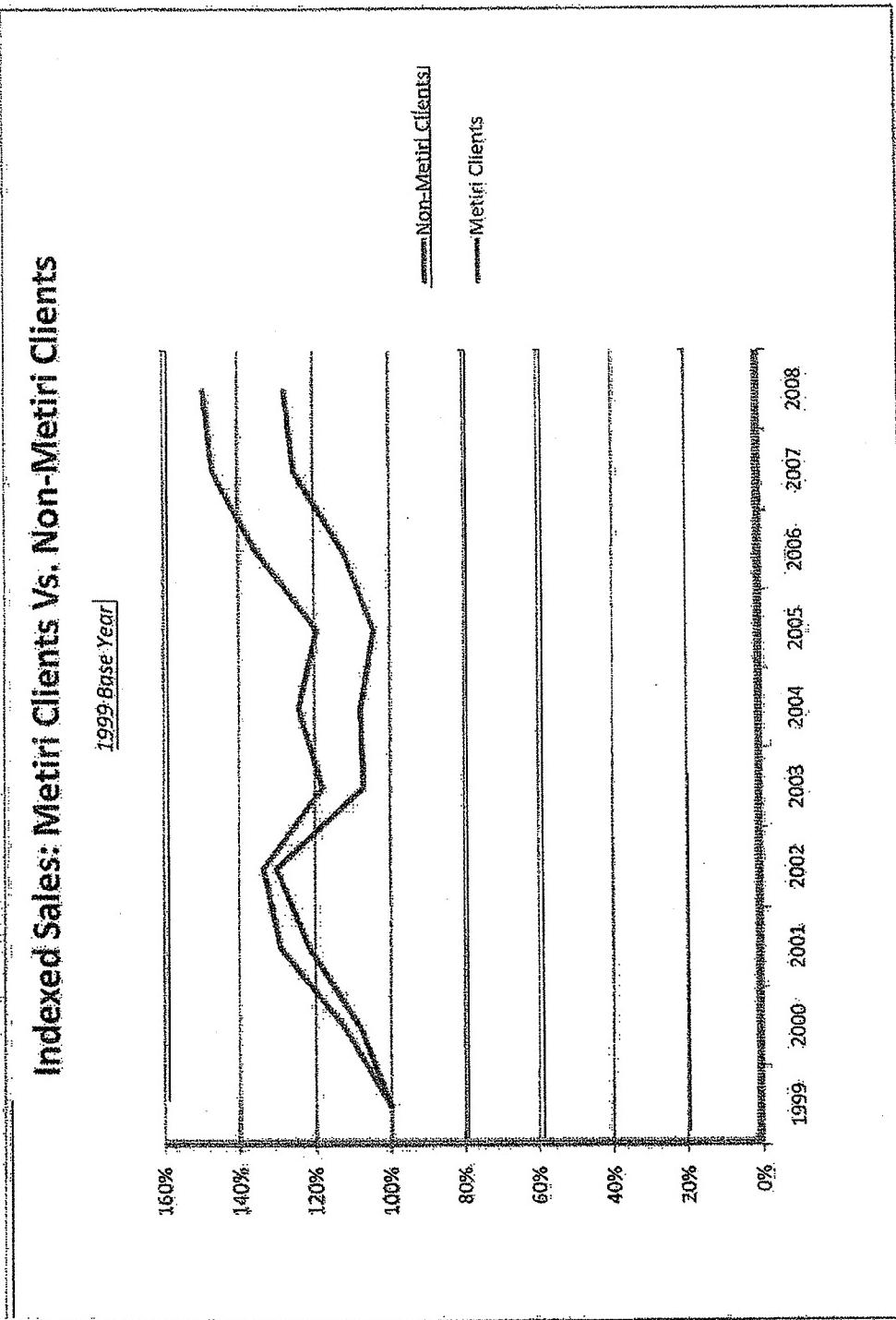
G. William Kennedy, Ph.D., CPA/ABV
Partner

Exhibit 1

The table below provides the Student's t-statistics associated with level of statistical significance:

Year	But For Sales	Lost Sales	T-Stat on Lost Sales	Statistical Significance
2003	\$7,645,347	(\$532,509)	(4.27)	99.9%+
2004	\$8,052,206	(\$895,712)	(7.18)	99.9%+
2005	\$7,736,941	(\$809,084)	(6.49)	99.9%+
2006	\$8,774,717	(\$1,317,748)	(10.57)	99.9%+
2007	\$9,508,182	(\$1,173,344)	(9.41)	99.9%+
2008	<u>\$9,660,161</u>	<u>(\$1,160,656)</u>	(9.31)	99.9%+

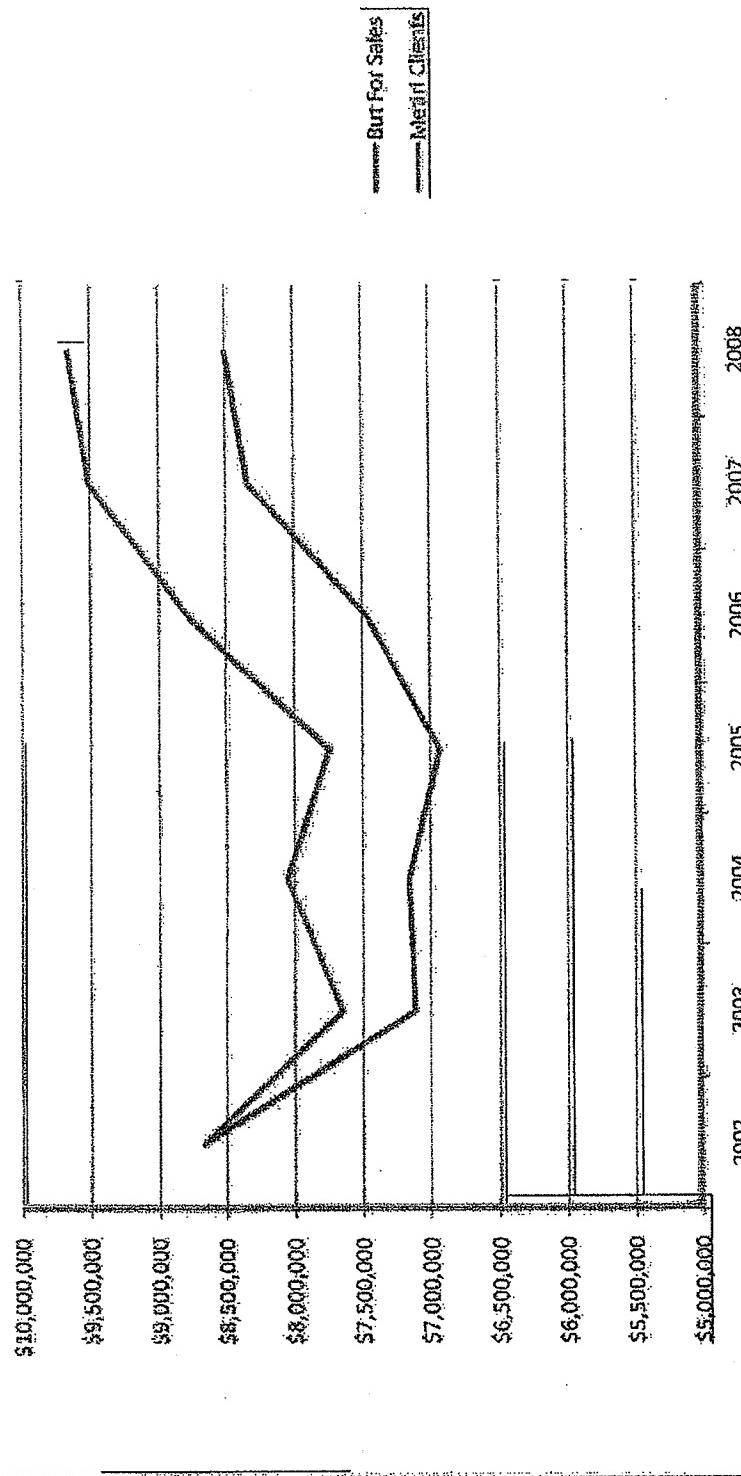
Exhibit 2



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Exhibit 3

**But For Sales Vs. Actual Sales to Metrii Clients
2002-2008**



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In addition to and including documents cited within our report, I have reviewed and/or relied upon the following documents:

- RLI's first amended complaint filed 9/11/2008
- Plaintiff's suggestions in opposition to defendants motion for summary judgment and suggestions in support of motion under rule 56(f) for additional discovery, filed 3/21/2008
- Deposition transcript of Cheryl Lemke, 2/26/2008.
- Rough Draft Deposition transcript of Dr. Susan Williams, 3/13/2008
- Declaration of Father Tim Bushy
- Declaration of Robert Turner
- Declaration of Eugene Hertzke
- Declaration of Eric Stickney
- Declaration of Laurie Borkon
- Exhibit A to the Declaration of Laurie Borkon
- Exhibit B to the Declaration of Laurie Borkon
- RLI sales data concerning AR total sales by year for 1999-2008
- RLI sales data concerning AR sales by customer for those customers who had subscribed to Metiri's TSW product for any portion of the time period spanning 1999-2008, including the dates that such customers were subscribers to the TSW product.
- RLI sales data segregating RLI's total sales by Software, Service, and Hardware classification for 2007 and 2008
- RLI variable cost data segregated by Software, Service and Hardware business lines for 2007 and 2008.
- Website of Metiri Group: <http://www.metiri.com/>
- Website of Renaissance Learning, Inc. <http://www.renlearn.com/>
- Exhibit RLI #1 – Metiri Webpage, TSW Summary of AR and Reviews of Studies concerning AR.
- Exhibit RLI #7 – TSW Rubrics
- Exhibit RLI #9 – Metiri TSW PowerPoint Presentation, Indiana
- Exhibit RLI #11 – Metiri Webpage "Background"
- Exhibit RLI #12 – TSW Information Handout
- Exhibit RLI #13 – Metiri Webpage "Background"
- Exhibit RLI #16 – Metiri Webpage
- Exhibit RLI #18 – Metiri Webpage "Frequently Asked Questions"
- Exhibit RLI #20 – Definition for Database
- Exhibit RLI #25 – TSW Remote Access License Terms and Conditions of Use.
- Discussions with RLI management.

G. William Kennedy, Ph.D., CPA/ABV

Professional Qualifications

EDUCATION AND PROFESSIONAL CERTIFICATION

- Ph.D. in Finance, Saint Louis University, Dissertation title: *Cross Sectional Analysis of the Effect on Shareholder Returns of Capital Expenditure Announcements.*
- M.A.S. (Master of Accounting Science), University of Illinois
- BS in Accountancy, University of Illinois
- Certified Public Accountant
- ABV (Accredited in Business Valuation) awarded by the AICPA
- AICPA Certificate of Educational Achievement in Business Valuation

PROFESSIONAL RECOGNITIONS AND AFFILIATIONS

- **AICPA Business Valuation Hall of Fame**, Inducted November 2003
- American Institute of Certified Public Accountants (AICPA)
- Business Valuation, Forensic & Litigation Services Section of the AICPA
- American Accounting Association
- Financial Management Association

PROFESSIONAL ACTIVITIES

- **AICPA Business Valuation Examination Committee**. Member of the six-person committee of business valuation experts responsible for preparation of the Accredited in Business Valuation (ABV) specialty examination for the AICPA. Immediate Past Chairman, 2002-2005, Member 1998 – Present.
- **AICPA M&A Dispute Resolution Taskforce**. Newly formed Taskforce, responsible for establishing continuing education training material, conference presentations and journal articles to train CPA's to practice in the area of M&A dispute resolutions as accountant/arbitrators and consulting and testifying experts. 2007 – Present.
- **Editorial Advisor**, AICPA Journal of Accountancy. 2005 – Present.
- **Member of the Editorial Review Board of the Business Valuation Review**, The Quarterly Journal of the Business Valuation Committee of the American Society of Appraisers (ASA). 2004 – 2007.
- **AICPA Business Valuation Committee**. 1999 – 2003. Member of the committee responsible for establishing all policies and developing supporting programs for all CPAs who perform valuation services.
- **AICPA Business Valuation Credentials Committee**. 1997 – 1998. Inaugural members of the Business Valuation Credentials Committee.

SELECTED PRESENTATIONS AND PUBLICATIONS

- *Use of Monte Carlo Simulation in Valuation and Litigation Support Engagements*. NACVA's Fifteenth Annual Consultants' Conference. June 10, 2008. Las Vegas.

- *Statistical Analysis of Executive Compensation – Case Studies.* California Education Foundation, 2008 Business Valuation Conference. May 28, 2008. Los Angeles, CA.
- *Dissecting a Business Valuation Report.* AICPA-AAML Conference. May 8, 2008. Las Vegas.
- *Use of Statistics In BV Engagements: Duff & Phelps Size Risk Premiums and Using Regression to Fit Pricing Multiples.* Florida Institute of CPA's Valuation, Forensic Accounting & Litigation Services Conference. January 10-11, 2008. Fort Lauderdale, Florida.
- *Using Statistics in Litigation Support Engagements.* Florida Institute of CPA's Valuation, Forensic Accounting & Litigation Services Conference. January 10-11, 2008. Fort Lauderdale, Florida.
- *Issues in Determining Cost of Equity – Duff & Phelps Size Risk Premiums and Beta Coefficient Risk Measures.* 25th Annual National CLE Conference, Law Education Institute. January 6, 2008. Vail, Colorado.
- *Using Statistical Measures in BVFLS Engagements.* 25th Annual National CLE Conference, Law Education Institute. January 7, 2008. Vail, Colorado.
- *Quantitative Applications in Valuation.* AICPA National Business Valuation Conference, December 3, 2007. New Orleans, LA.
- *Discount Rates used in Lost Profit Cases: The Key Issues.* AICPA National Conference on Fraud and Litigation Services. September 28, 2006. Las Vegas.
- *Advanced Statistical Applications for BV Engagements.* AICPA-ASA National Business Valuation Conference, November 15, 2005. Las Vegas.
- *Judging Valuation Experts and their Reports: A View from the Bench.* (joint presentation). AICPA-ASA National Business Valuation Conference. November 15, 2005. Las Vegas.
- *The Use and Misuse of Statistics.* AICPA Webcast for the members of the Business Valuation, Forensic and Litigation Services (BV-FLS) Section members. October 26, 2005.
- *Lost Profits vs. Loss of Business Value.* AICPA National Litigation and Fraud Conference. September 29, 2005. Dallas.
- *Advanced Workshop on Discount Rates.* AICPA National Litigation and Fraud Conference. September 29, 2005. Dallas.
- *Intellectual Property Valuation.* CPA Associates National Business Valuation Conference. August 23, 2005. Chicago.
- *Valuing Intellectual Property: Applying Real Option Analysis.* St. Louis Daily Record. January 21, 2005, Volume 295, No. 14.
- *Financial Statement Analysis: Insights into Company Strategy and Risks* AICPA National Business Valuation Conference, November 2004, Orlando.

- *Using Statistical Applications to perform Market Approach – Guideline Public Company Approach calculations and other applications of statistical techniques in Business Valuation engagements.* Three hour pre-conference workshop, AICPA National Business Valuation Conference, November 2003, Phoenix.
- *Real Options Overview and Theory*, and a second session: *Advanced Case Application Using Real Options for Business Valuation Engagements*. AICPA National Business Valuation Conference, November 2003, Phoenix.
- *Statistical Applications in Auditing and Statistical Applications in Business Valuations*. Two separate four hour continuing educational seminars for the auditing and consulting staff of Anders, Minkler, Diehl, St. Louis, Missouri and Clifton Gunderson LLP, Indianapolis, Indiana. July and August 2003.
- *Statistics You Can Use – In Plain English*. Three-hour pre-conference workshop on the application of statistics and regression techniques in Business Valuation engagements. AICPA National Business Valuation Conference, November 2002, New Orleans.
- *Real Option Theory and Practice, A Powerful Valuation Tool*. AICPA National Business Valuation Conference, November 2002, New Orleans.
- *Applications of Statistical Techniques in Valuation Engagements*. AICPA National Business Valuation Conference, December 2001, Las Vegas.
- *Using Option Pricing Models to Estimate Discount for Lack of Marketability*. Financial Consulting Group Annual Meeting, September 2001, New Orleans.
- *Career Opportunities in Business Valuation*. Also session on: *Merger and Acquisition Pricing*. Beta Alpha Psi National Accounting Honor Society Annual Meeting, August 2001, Atlanta.
- *Business Valuation Update – Marketability Discounts, Recent Tax Court Decisions*. Moore Stephens North America, Inc. National Tax Conference, October 2000, Washington D.C.
- *Know The Right Asking Price, Get The Right Selling Price*. Mergers and Acquisitions Seminar sponsored by Reilly Consulting Group, Inc. May 2000, Boston, MA.
- *Business Valuation Technical Update – Recent Supreme Court Decisions Affecting Expert Witness Testimony And Building a Business Valuation Practice*. Moore Stephens North America, Inc. National Tax Conference, October 1999, San Diego, CA.
- *Marketability and Minority Discounts and Control Premiums*. 1998 AICPA National Conference on Business Valuation. November 1998, Miami, FL.
- *Using Statistical Techniques in Business Valuation Engagements*. 1998 National Business Valuation Conference of the CPA Associates International. Selected to present a Continuing Educational Seminar to the national directors of Business Valuation from member firm practice offices. August 1998, Atlanta, GA.

- *The Fundamentals of Modern Portfolio Theory*. Investment Management for Institutional Investors National Conference. Professional Education Seminar, June 1998, Boston, MA.
- *IRS Code Chapter 14 - Overview of Estate and Gift Tax Valuation Issues*. Presented to the Norfolk & Plymouth Estate and Business Planning Council at their opening meeting for the 1996-1997 program year.
- *Valuation Issues in Family Limited Partnerships*, Presented to the Bristol County Estate Planning Council at the final meeting of their 1995-1996 program year.

PROFESSIONAL EXPERIENCE

- **Partner and Co-Director Valuation and Litigation Support Services**, Anders Minkler & Diehl LLP, St. Louis Missouri. 2004 – Present.
- **Director of Business Valuation and Litigation Support Services**, Reilly Consulting Group, Inc., Milton, Massachusetts. 1995 – 2004.
- **Manager of Financial Reporting**, Edison Brothers Stores, Inc., St. Louis, Missouri. 1987-1990.
- **Audit Manager** and member of the Privately Held Business and Mergers & Acquisitions service groups, KPMG Peat Marwick, St. Louis, Missouri. 1986-1987.
- **Officer and Assistant Controller**, United Cable Television Corporation, Denver, Colorado. 1984-1985.
- **Audit Staff - Manager**, Ernst & Young, Denver, Colorado, and Springfield, Illinois. 1975-1984

ACADEMIC EXPERIENCE

- **Associate Professor of Finance and Accounting (with Tenure)**, Stonehill College, Easton, Massachusetts. 1993-2004.
- **Instructor of Finance**, School of Business and Administration, Saint Louis University, St. Louis, Missouri. 1990-1993.

PROFESSIONAL CONFERENCES AND CONTINUING EDUCATION

- AICPA National Business Valuation Conference, Las Vegas, NV, December 2008.
- AICPA National Business Valuation Conference, December 2007, New Orleans, LA.
- American Bar Association 22nd Annual Intellectual Property Law Conference, April 2007, Arlington, Virginia.
- AICPA National Business Valuation Conference, December 2006, Austin, Texas.

- AICPA National Conference on Fraud and Litigation Services, September 2006, Las Vegas.
- American Bar Association 21st Annual Intellectual Property Law Conference, April 2006, Arlington, Virginia.
- AICPA National Business Valuation Conference, November 2005, Las Vegas.
- AICPA National Conference on Fraud and Litigation Services, September 2005, Dallas.
- AICPA National Business Valuation Conference, November 2004, Orlando.
- AICPA National Business Valuation Conference, November 2003, Phoenix
- AICPA National Business Valuation Conference, November 2002, New Orleans
- AICPA National Business Valuation Conference, December 2001, Las Vegas
- Financial Consulting Group Annual Meeting, September 2001, New Orleans
- AICPA National Business Valuation Conference, November, 2000
- Financial Consulting Group Annual Meeting, June 2000, Denver
- AICPA National Business Valuation Conference, December, 1999
- AICPA National Business Valuation Conference, November, 1998
- Institute of Business Appraisers National Business Valuation Conference, January 1998
- AICPA Business Valuation Examination Review Course, October 1997
- AICPA Business Valuation Certificate of Educational Achievement Courses NBV1-8, 1996

TESTIMONY IN TRIAL OR BY DEPOSITION

- *Randy Blount Automotive Group, Inc., et al. v. Suntrup Real Estate Partnership, L.P., et al.* In the Circuit Court of the County of St. Louis, State of Missouri. Retained by plaintiff to provide expert analysis and testimony regarding economic damages and purchase price adjustments.
- *Board of Trustees, North Naples Fire Control & Rescue District Firefighter Pension Plan v. City of Naples and Board of Trustees, City of Naples Firefighters Retirement Trust Fund.* In the Circuit Court of the Twentieth Judicial Circuit in and for Collier County, Florida. Retained by the plaintiff to perform analysis and provide expert opinion and testimony as to econometric and statistical analysis of tax property tax receipts.
- *Sizzler v. Excel, et al. Consolidation E.coli 0157:H7 Cases.* In the Circuit Court of Milwaukee County, State of Wisconsin. Retained by the defendant to provide an expert opinion and testimony as to lost profit damages.

- *ASi Industries, GmbH v. MEMC Electronic Materials, Inc. and MEMC Pasadena, Inc.*, United States District Court, Eastern District of Missouri, Eastern Division. Case No. 4:06-CV-00951-CDP. Retained by the defendant to provide an expert opinion and testimony as to lost profit damages.
- *Dr. Juan Carlos Parodi v. Cordis Corporation*, American Arbitration Association, International Centre for Dispute Resolution. Case No. 50 133 T 00108 06. Retained by the plaintiff to provide an expert opinion and testimony as to the value of certain patent rights and intellectual property.
- *Dennis Nadler v. Merlin International, Inc. f/k/a Merlin Software Corporation d/b/a Merlin Technical Solutions, Inc.*, United States District Court, Southern District of Illinois. Case No. 3:06-CV-00907-JPG-PMF. Retained by plaintiff to provide an expert opinion and testimony as to the value of certain ownership interests.
- *Central Garden & Pet Company v. AT&H Co., Inc., American Tack and Hardware Co., Inc., Heritage Fund I Limited Partnership, and Ameritac Holdings, Inc.* Commonwealth of Massachusetts, Suffolk, SS. Superior Court, Department of the Trial Court. Case No. 05-2066. Retained by defendants to provide expert opinion as to the valuation of certain business interests.
- *Detroit & Canada Tunnel Corporation vs. Ernst & Young LLP*, Circuit Court for the County of Wayne, State of Michigan. Retained by Plaintiff to provide expert report and testimony in mediation conference regarding adherence to AICPA professional standards.
- *The Huff Alternative Income Fund, L.P. vs. PriceWaterhouseCoopers LLP*, Superior Court of New Jersey Law Division, Bergen County, Docket No. 9204-03. Retained by plaintiffs to provide expert opinion as to the reliability and use of certain business valuation methods in a financial reporting context.
- *Synergetics, Inc. vs. Charles Richard Hurst, Jr. and Michael McGowan*, United States District Court, Eastern District of Missouri, Eastern Division, Case No. 4:04CV318DDN. Retained by defendants to provide expert opinion on economic damages related to trade secrets.
- *Buntzman vs. Buntzman*. Supreme Court State of New York, County of Westchester, Index No. 8098 / 03. Retained by respondent to submit rebuttal expert report and provide testimony on the proper application of "event study" methodology to determine the potential impact on the stock price of a NASDAQ traded corporation of certain management actions.
- *Siti-Sites.Com, Inc. vs. Charles M. Leedom, Jr.; Eric Robinson; Salvatore Marino; MLR Partners; MLR, LLC.; Harry O'Sullivan; Joseph Sainton; Sixbey, Friedman, Leedom & Ferguson, P.C. and Nixon Peabody, LLP*. Supreme Court of the State of New York, County of New York, Commercial Division. Index No. 04600927. Retained by plaintiff to submit expert's affidavit and provide expert testimony on the value of certain patent properties.

- *Geoffrey H. Rowley and Richard R. Downey vs. Associates for International Research, Inc., et al.*, Commonwealth of Massachusetts, Middlesex Superior Court, Civil Action No. 01-03955-D. Retained by plaintiffs to provide expert opinion as to the value of a minority ownership interest in a corporation.
- *Ivex International Venture Management, Inc. vs. 3 Corn Corporation*. Arbitration, Boston, Massachusetts. Retained by plaintiffs to provide an expert opinion as to the value of a minority interest in a foreign subsidiary of a publicly traded corporation.
- *Massachusetts Asset Financing Corporation v. Harter Secrest & Emery, LLP, et al.*, U.S. District Court for the District of Massachusetts, Civil Action No. 01-11612. Retained by defendants to provide an opinion as to the application of professional accounting and reporting standards.
- *Shirley Vandervort vs. Consumer Collection Management, Inc. and Robert Eichorn*. Circuit Court, County of St. Louis, State of Missouri, Cause No. 03CG-003483 B. Retained by plaintiffs to provide an opinion as to the value of a minority ownership interest in a corporation.
- *Lake Madsen, Inc., vs. MacDonald, Page & Co., LLC vs. Barbara Dehart*, Commonwealth of Massachusetts, Norfolk ss, Superior Court Department, Civil Action No. 97-02357. Retained by defendants to provide an opinion as to the application of professional accounting and reporting standards.
- *Pittson Warehouse Corp. vs. Ronald D. Chiarello, Christopher Chiarello, and Gustav P. Chiarello*, Supreme Court of the State of New York, County of Kings, Index No. 5692/01. Retained by the plaintiffs to provide an opinion as to the value of a minority interest in a corporation.
- *Lindenmeyr, Eastern Bank, vs. Rodman & Rodman* Commonwealth of Massachusetts, Superior Court, Case No. AL101688PK. Retained by the defendants to provide an opinion as to the application of professional accounting and reporting standards.
- *Haley vs. Haley*, Commonwealth of Massachusetts, Essex, Probate & Family Court, Docket No. 96D2609DV1. Retained by the respondent to provide an expert opinion as to the value of certain ownership interests in an international asset management firm.
- *Sue B. Reamer vs. Norton H. Reamer*, Commonwealth of Massachusetts, Norfolk Probate & Family Court, Docket No. 90-1864. Retained by the petitioner to provide an expert opinion as to the value of a block of stock of a publicly traded corporation held by a senior corporate officer and director.
- *Cornelia V. R. Wissa vs. Anwar E. Z. Wissa, Jr., Anwar E. Z. Wissa, Jr. vs. Cornelia V. R. Wissa*, Commonwealth of Massachusetts, The Trial Court, Probate & Family Court, Essex ss, Docket No. 98D1448-DV1. Retained by the respondent to provide an expert opinion as to the value of a series of general and limited ownership interests in several venture capital funds.

- *Seaview Fillet Co., Inc., et al vs. Pielech & Pielech, Certified Public Accountants*, Commonwealth of Massachusetts, Bristol Superior Court C.A. No.: B95-1536. Retained by defendants to provide an opinion as to the application of professional accounting and reporting standards.
- *Keshandas Pahauja vs. Shirley Greene*; Commonwealth of Massachusetts, Probate & Family Court, Docket No. 99D0992-DV1. Retained by the respondent to provide an expert opinion as to the economic value of an ownership interest in a professional practice.
- *Averback vs. Pastor Medical*, Commonwealth of Massachusetts, Middlesex Superior Court, Civil Action No. 97-04372D. Retained by the defendants to provide an expert opinion of economic damages and costs.
- *Susan E. Leavitt vs. Richard F. Leavitt*, Commonwealth of Massachusetts, Middlesex ss, Probate Family Court, Docket No. 95D1951DV1. Retained by the defendant to provide expert opinion as to the value of a controlling ownership interest in a corporation.
- *Joseph B. McCue vs. Data Arts & Sciences, Inc., Data Personnel, Inc., John Travers and Bjorn E. Nordemo*, Commonwealth of Massachusetts, Plymouth ss Superior Court, No. 94-0254. Retained by the defendants to provide expert testimony as to the economic damages and value of trade secrets.